

JUL 13 2007

PTO/SB/54 (09-06)

Approved for use through 03/31/2007. OMB 0851-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

07655-00001

First named inventor: Sean Egan

Application No.: 09/418,184

Art Unit: 3622

Filed: 10/12/1999

Examiner: Kemper, Melanie A.

Title: SYSTEM AND METHOD FOR ASSIGNING RATINGS TO MUTUAL FUNDS AND OTHER INVESTMENT FUNDS BASED ON THE
VALUE OF VARIOUS FUTURE AND OPTION SECURITIESAttention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (571) 273-8300NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (571) 272-3282.The above-identified application became abandoned for failure to file a timely and proper reply to a notice or
action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration
date of the period set for reply in the office notice or action plus an extensions of time actually obtained.**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee☒ Small entity-fee \$ 750.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.☐ Other than small entity - fee \$ _____ (37 CFR 1.17(m))**2. Reply and/or fee**A. The reply and/or fee to the above-noted Office action in
the form of Petition for Extension of Time (identify type of reply):

- ☐ has been filed previously on _____.
- ☒ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ _____.

- ☐ has been paid previously on 07/16/2007 EASEGAY1 00000017 041073
- ☐ is enclosed herewith.

(Page 1 of 2)

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

JUL 13 2007

PTO/SB/64 (08-06)

Approved for use through 03/31/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

Steven E. Koffs
Signature

07/13/2007

Date

Steven E. Koffs

Typed or printed name

97,163

Registration Number, if applicable

30 S 17th Street

Address

(215) 979-1250

Telephone Number

Philadelphia, PA 19103

Address

Enclosures: ☒ Fee Payment☐ Reply☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unintentional delay☐ Other: _____**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being:

- ☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.
- ☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

07/13/2007

Date

Sue Seih

Signature

Sue Seller

Typed or printed name of person signing certificate

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JUL 13 2007

DOCKET NO.: D7655-00001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Sean Egan

Group Art Unit: 2764

Serial No.: 09/418,184

Examiner: M. Kemper

Filed: October 12, 1999

For: SYSTEM AND METHOD FOR ASSIGNING RATINGS TO MUTUAL FUNDS AND
OTHER INVESTMENT FUNDS BASED ON THE VALUE OF VARIOUS FUTURE AND
OPTION SECURITIES

I hereby certify that this correspondence is being transmitted via facsimile to the United States Patent and Trademark Office on:

July 13, 2007

STATEMENT ACCOMPANYING PETITION
TO REVIVE ABANDONED APPLICATION

Mail Stop Petition
Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

The undersigned respectfully requests that this application be revived for the purpose of entering the enclosed three month extension of time, which was originally deposited for filing in the Patent and Trademark Office by first class mail on November 8, 2001, to establish copendency with Continuation-in-Part Application (CIP) No. 10/010,102, filed November 8, 2001. The CIP application was filed on November 8, 2001, to satisfy the outstanding official action in this application.

The undersigned has studied the documents in the original file at Duane Morris, LLP, and has ascertained the following facts:

On November 8, 2001, attorney Robert E. Rosenthal signed, placed in a duly addressed mailing envelope and placed in an appropriate box for pick-up by the mailroom personnel of the undersigned's firm, the enclosed Petition for Extension of time and a check in the appropriate amount. A copy of the Petition for Extension of time is attached as Exhibit A. The Petition was to extend the period for responding to an Official Action in this application for

the full six-month statutory period, to establish copendency with Application No. 10/010,102, filed November 8, 2001.

The mailing had applied thereto sufficient postage as first class mail by a postage meter at the undersigned's firm's mailroom, and delivered to the United States Post Office at 30th Street Station, Philadelphia, Pennsylvania.

The mailing was found among the incoming mail received by Duane Morris LLP in the shipment from the Post Office on November 9, 2001. The undersigned believes that a post office employee mistook the return address on the envelope as being the destination address.

On information and belief, the envelope, properly addressed and with postage applied, containing the Petition and check, were delivered to the United States Post Office on November 8, 2001, and mistakenly delivered by the United States Post Office to Duane Morris on November 9, 2001.

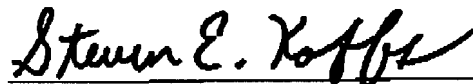
On information and belief, due to a clerical error, the returned envelope containing the Extension of Time and check were placed in the application folder, and the folder was returned to our file room, without any action being taken to revive the application.

While responding to a recent communication from the Patent and Trademark Office concerning the Continuation-in-Part application No. 10/010,102, the undersigned inspected this application folder and found the returned extension of time and check. I then obtained a copy of the prosecution history of this application on file in the Patent and Trademark Office, and learned that no extension of time had been entered in the application file.

The entire delay between November 8, 2001 and the filing of this petition was unintentional.

Applicants respectfully request that this petition to revive be entered, and that the period for responding to the Official Action of May 8, 2001 be extended to November 8, 2001, to establish copendency with Continuation-in-Part Application No. 10/010,102, filed November 8, 2001.

Respectfully submitted,



Steven E. Koffs, Registration No. 37,163
Attorney for Applicant

Date: July 13, 2007
DUANE, MORRIS & HECKSCHER LLP
30 S. 17th St.
Philadelphia, PA 19103-4196
(215) 979-1250

EXHIBIT A

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DOCKET NO.: D7655-00001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Sean Egan

Group Art Unit: 2764

Serial No.: 09/418,184

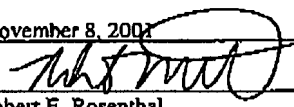
Examiner: M. Kemper

Filed: October 12, 1999

For: SYSTEM AND METHOD FOR ASSIGNING RATINGS TO MUTUAL FUNDS AND
OTHER INVESTMENT FUNDS BASED ON THE VALUE OF VARIOUS FUTURE AND
OPTION SECURITIES

I hereby certify that this correspondence is being deposited with sufficient postage as first class mail in an envelope addressed to:
Assistant Commissioner for Patents, Washington, D.C., 20231 on:

November 8, 2001


Robert E. Rosenthal

PETITION FOR EXTENSION OF TIME

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

Petition is hereby made under 37 C.F.R. 1.136(a) to extend the time for response to the Office Action of May 8, 2001, to and through November 8, 2001. Applicant is filing a continuation-in-part application claiming priority from the above-captioned application simultaneously herewith. This is an extension of the shortened statutory term from the

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JUL 13 2007

previously extended term of four months, to six months, comprising a total extension of the shortened statutory period of three (3) months:

	Small Entity	Other Than Small Entity
One Month	___ \$ 55	___ \$ 110
Two Months	___ \$200	___ \$ 400
Three Months	<u>xx</u> \$460	___ \$ 920
Four Months	___ \$720	___ \$1,440
Less extension fee previously paid:		\$55.00
Extension fee now due:		\$405.00

(xx) A check in this amount is enclosed. Please charge any deficiency or credit any overpayment to Deposit Account No. 04-1679.

(Please charge the extension fee, and any deficiency, to Deposit Account No. 04-1679. This form is submitted in duplicate.

Respectfully submitted,



Robert E. Rosenthal
Registration No. 33,450
Attorney for Applicant

Date: November 8, 2001

DUANE, MORRIS & HECKSCHER LLP
One Liberty Place
Philadelphia, PA 19103-7396
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PH11898410.1